

Attorney's Docket No. 031749/192056

PATENT

#16 EXT 3
SMW 2-17-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application No.: Stephen Creaney
09/437,004
Filed: November 9, 1999
For: DATA COMMUNICATIONS LINK

Confirmation No.: 7396
Group No.: 2633
Examiner: A. Bello

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FEB 13 2004

Technology Center 2600

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of one month to respond to the Office Action dated October 6, 2003.
2. Applicant is a small entity; other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months <u>Requested</u>	Fee For Other Than Small Entity	Fee for <u>Small Entity</u>
one month	\$110.00	\$55.00
two months	\$420.00	\$210.00
three months	\$950.00	\$475.00
four months	\$1,480.00	\$740.00
five months*	\$2,010.00	\$1,005.00

*Cannot be used to exceed six-month statutory limit for response to an Official Action.

A check in the amount of \$110.00 is enclosed.
 Charge Deposit Account No. 16-0605 for the extension fee.
 Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,

W. Kevin Ransom
Registration No. 45,031

Customer No. 00826

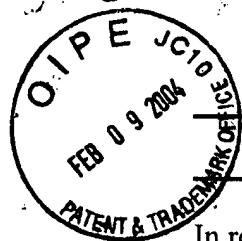
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 6, 2004

W. Kevin Ransom

CLT01/4631335v1



Applicant Interview Summary

In re: Stephen Creaney
Appl. No.: 09/437,004
Filed: October 9, 1999
For: DATA COMMUNICATIONS LINK
Status of Application: Non-Final Rejection

Confirmation No.: 7396
Group Art Unit: 2633
Examiner: A. Bello

RECEIVED

FEB 13 2004

Technology Center 2600

Participants:
(1) Examiner Bello (2) Kevin Ransom

Date and Time of Interview: Monday, December 29, 2003 at 2:00 pm

Type of Interview Held:

(1) Telephonic (2) Personal (3) Video Conference

Exhibits Shown or Demonstrated: YES NO

If yes, provide brief description:

Issues Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejections</u>	<u>1-6</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

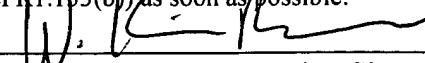
Brief Description Interview:

Applicant's counsel and Examiner Bello discussed the 112 rejection against the claims and Examiner Bello pointed out that the claims should be amended in such a way to more clearly define that the bits are encoded into different power levels of the same signal. Applicant agreed to amend the claims and submit a response.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.


(Applicant's Representative Signature)
CLT01/4631343v1

(Examiner/SPE Signature)